

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KATHLEEN MANCINI, a single
woman,

Plaintiff,

vs.

CITY OF TACOMA, a municipal entity
and political subdivision of the State of
Washington; the TACOMA POLICE
DEPARTMENT; and DON
RAMSDELL, individually and in his
official capacity as Chief of Tacoma
Police,

Defendants.

NO. 2:12-cv-00714

(Superior Court of the State of
Washington County of King
No. 12-2-05839-3 KNT)

NOTICE OF REMOVAL OF ACTION
FROM STATE COURT

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. § 1441(b),
defendants hereby remove this action from the Superior Court of the State of
Washington, County of King, to the United States District Court to the Western
District of Washington at Seattle. Defendants appear solely for the purpose of

NOTICE OF REMOVAL OF ACTION
FROM STATE COURT - Page 1 of 3
(2:12-cv-00714)

Tacoma City Attorney
Civil Division
747 Market Street, Room 1120
Tacoma, Washington 98402-3767
(253) 591-5885 / FAX 591-5755

1 removal and for no other purpose, reserving all other defenses available to
2 defendants and alleges on information and belief as follows:

3 1. Plaintiff filed the above-captioned action against defendant City of
4 Tacoma and Tacoma Police Chief Don Ramsdell in the Superior Court of the
5 State of Washington, County of King, on February 15, 2012. The defendant
6 was served with a copy of the Complaint on April 2, 2012, a copy of which is
7 attached hereto as Exhibit A.

8 2. This Notice of Removal is being filed within 30 days after the first
9 receipt by the defendants of the Complaint and thus is timely filed pursuant to
10 28 U.S.C. § 1446(b).

11 3. This is a civil action for which the United States District Court has
12 original jurisdiction pursuant to 28 U.S.C. §1331, as plaintiff has asserted a
13 violation of her civil rights as secured by federal law.

14 4. Plaintiff has also asserted various state tort actions. Defendants
15 request that all claims be removed from the Superior Court of the State of
16 Washington, County of King, and that this Court exercise supplemental
17 jurisdiction over these claims pursuant to 28 U.S.C. § 1367(a) and 28 U.S.C.
18 §1441(c).

19 5. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings,
20 and orders served upon defendants to date are attached.

21 6. The defendants will promptly file a copy of this Notice in the
22 Superior Court of the State of Washington, County of King, and will serve a
23 copy of the same on the plaintiff in accordance with 28 U.S.C. § 1446(d).
24
25
26

1 WHEREFORE, the defendants give notice that the above-captioned
2 action commenced against it in the Superior Court of the State of Washington,
3 County of King, has been removed to this Court.

4 DATED this 24th day of April, 2012.

5 ELIZABETH A. PAULI, City Attorney

6
7 By: 

8 JEAN P. HOMAN
9 WSBA# 27084
10 Deputy City Attorney
11 Attorney for Defendant

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on 4-24-12, I electronically
14 filed, through my staff, the foregoing with the Clerk of the Court using the
15 CM/ECF system which will send notification of such filing to Lori S. Haskell,
16 Attorney for Plaintiff.


17 
18 JEAN P. HOMAN
19 WSBA#27084
20 Attorney for Defendants
21 Tacoma City Attorney's Office
22 747 Market Street, Suite 1120
23 Tacoma, WA 98402
24 (253) 591-5885
25 Fax: (253) 591-5755
26 jhoman@ci.tacoma.wa.us

EXHIBIT A

RECEIVED

APR 02 2012

TACOMA CITY ATTORNEY
CIVIL DIVISION

*VIA Delivery
10:20
Service accounted for
Jenny for Taylor*

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

Kathleen Mancini, a single woman,

Plaintiff,

Vs.

City of Tacoma, a municipal entity and
political subdivision of the state of
Washington; the Tacoma Police
Department; and Don Ramsdell,
individually and in his official capacity as
chief of Tacoma Police,

Defendants.

No. *12-2-05839-3 KNT*

Complaint for Damages

I. Jurisdiction & Venue

Plaintiff states:

1. The above-captioned court properly has jurisdiction over this cause.
 2. Defendant City of Tacoma is a municipal entity and political subdivision of Pierce County, Washington.
 3. Defendant Tacoma Police Department is an agency of Defendant City of Tacoma.
- The known officers who participated in the violation of Kathleen Mancini's home and

COMPLAINT FOR
DAMAGES

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Lori S. Haskell
Fishermen's Terminal
1900 West Nickerson #209
Seattle, WA 98119
(206) 285-4130

person are identified as Schultz, Walkinshaw, May, Kim, Travis, Scitpps, C. Shipp and Smith.

4. Police Chief Don Ramsdell is responsible for oversight and training of Tacoma Police officers.

4. Jurisdiction and venue are proper in King County Superior Court, as Plaintiff resides in King County and all the acts alleged herein occurred in King County.

5. Prior to filing this action the plaintiff properly filed a Notice of Claim for damages with the City of Tacoma pursuant to RCW 4.96.020. Over 60 days have elapsed since the filing of Plaintiff's Notice of Claim.

II. Facts

1. Kathleen Mancini is a nurse who works the graveyard shift for Group Health Hospital. At all times pertinent she was 63 years old.
2. On the morning of January 5, 2011 Ms. Mancini had finished her all night shift and was asleep in the bedroom of her apartment located at 28617 Ave. S. #B1, Federal Way, Washington.
3. At approximately 9:00 a.m. on that morning, Tacoma Police officers used a battering ram to break down the plaintiff's front door.
4. Ms. Mancini, wearing only a nightgown, emerged from her bedroom at the sound of her front door being blown off its hinges.
5. Multiple Tacoma Police officers, dressed in SWAT gear and with weapons drawn, confronted Ms. Mancini in the hallway outside her bedroom, screamed at her, forced the plaintiff to the ground and handcuffed her.
6. The officers then dragged Ms. Mancini to her feet, marched her out of her front door and paraded her into the parking lot of her apartment building. She

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requested that she be allowed to take bedroom slippers—which were lying next to her when the police ordered her to lay face down in the hallway of her apartment building. That request was denied.

7. Tacoma Police forced Ms. Mancini to stand barefoot in her nightgown in the parking lot of her apartment building in inclement weather for more than 45 minutes in full view of neighbors and passersby.
8. During this entire time Ms. Mancini was handcuffed in such an extreme fashion that she suffered bilateral shoulder injuries.
9. Meanwhile, the Tacoma Police officers ransacked Ms. Mancini's apartment, damaging her personal property.
10. Tacoma Police officers continued to detain Ms. Mancini even though they had a picture of the suspect they were trying to apprehend who is a young male.
11. Tacoma Police officers had a description of the apartment that they had intended to search. However, they forcibly detained Ms. Mancini for 45 minutes even though an Incident Report filed in this matter states in part: "I immediately observed that the inside of the apartment was not as the 'confidential and reliable informant' [sic] had described."
12. Eventually the Tacoma Police officers admitted they were attempting to raid the wrong residence.
13. After forcing Ms. Mancini to stand handcuffed and barefoot for 45 minutes and ransacking the Mancini apartment, the officers filed an incident report that falsely states: "Mancini's apartment was not searched and she was immediately released."

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14. Tacoma Police officers eventually went to the correct apartment, knocked on the door, and asked the resident to step outside. A strong odor of marijuana was coming from that apartment and the resident was placed under arrest.

15. At all times material, the Tacoma Police officers involved were City of Tacoma employees and acting within the course and scope of their employment and authority.

III. Negligence

Plaintiff incorporates all paragraphs above.

1. The actions on January 5, 2011 of all the involved Tacoma Police officers fell below the standard of care in the performance of their duties.
2. As a proximate cause of the actions of the Tacoma Police officers violently entering the wrong apartment Kathleen Mancini suffered injuries.
3. The actions of Tacoma Police officers on January 5, 2011 in 'capturing' and restraining Kathleen Mancini fell below the standard of care in performance of their duties because they used excessive force in restraining the plaintiff improperly and without cause.
4. As a proximate cause of this excessive force, plaintiff Kathleen Mancini suffered injuries.
5. At all times material the Tacoma Police officers involved in this 'raid' were acting within the course and scope of their employment and authority.
6. Because the officers were acting within the course and scope of their employment with Defendant City of Tacoma when they negligently injured Kathleen Mancini, Defendant City of Seattle is liable to Kathleen Mancini under the doctrine of respondeat superior.

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IV. Breach of Duty to Train and Supervise

1. Plaintiff re-alleges and incorporates all paragraphs above.
2. Defendant City of Tacoma had a duty to properly train its employees, including Defendant Tacoma Police Department.
3. Defendant City of Tacoma, as a matter of practice and policy, failed to properly train its employees, including Defendant Tacoma Police Department concerning the rights of citizens, thereby causing the Defendant Tacoma Police Department to engage in unlawful conduct on January 5, 2011 as described above.
4. Defendant City of Tacoma had a duty to properly supervise its employees, including Defendant Tacoma Police Department.
5. Defendant City of Tacoma, as a matter of practice and policy, failed to properly supervise its employees, including Defendant Tacoma Police Department, concerning appropriate searches and entry into the residences of citizens causing the Tacoma Police officers to engage in unlawful conduct on January 5, 2011 as described above.
6. As a result of Defendant City of Tacoma's failing to train and supervise its employee Defendant Tacoma Police Department, Kathleen Mancini suffered damages.

V. Assault and Battery

1. Plaintiff hereby alleges and incorporates all the above paragraphs.
2. The conduct described above by Tacoma Police officers constitutes intentional and malicious tortious assault, causing Kathleen Mancini apprehension of imminent, harmful, nonconsensual and offensive contact.

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3. The conduct described above by Tacoma Police officers constitutes intentional and malicious tortious battery, resulting in harmful, nonconsensual and offensive contact to the person of Kathleen Mancini.
4. Because the officers were acting within the course and scope of their employment with Defendant City of Tacoma during the commission of tortious assault and battery against Kathleen Mancini, Defendant City of Tacoma is liable to Kathleen Mancini under the doctrine of respondeat superior.

VI. Violation of Fourth, Fifth and Fourteenth Amendments
And of 42 U.S.C. Sec. 1981 and 1983

1. Plaintiff hereby re-alleges and incorporates all the above paragraphs.
2. As stated above, on or about January 5, 2011, Tacoma Police officers acting under color of law, unlawfully detained, searched and seized Kathleen Mancini in violation of her rights to due process and equal protection under the law as guaranteed by the Fifth and/or Fourteenth Amendments to the United States Constitution and by 42 U.S.C. Sec. 1981.
3. As stated above, on or about January 5, 2011 Tacoma Police officers, acting under color of law, unlawfully used excessive force in the apprehension of Kathleen Mancini without justification in violation of the Fourth and Fourteenth Amendments to the United States Constitution and by 42 U.S.C. Sec. 1983

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4. Defendant City of Tacoma is vicariously liable for the actions of its agents, the Tacoma Police officers involved in the unlawful detention of Kathleen Mancini and the 'raid' of her residence.
5. As a proximate result of the above cited Constitutional and statutory violations, Kathleen Mancini suffered damages in an amount to be determined at trial.

VII. Violation of Washington Constitution Art. 1, Sec.1 and Sec. 3 and Sec.7 and RCW 49.60.030.

1. Plaintiff hereby re-alleges and incorporates all the above paragraphs.
2. As stated above, on or about January 5, 2011 Tacoma Police officers, acting under color of law, unlawfully entered the residence, detained, searched and seized Kathleen Mancini in violation of her rights to due process and equal protection under the law as guaranteed by the Washington Constitution Article 1, Section 3 and in violation of RCW 49.60.030.
3. As stated above, on or about January 5, 2011 Tacoma Police officers, acting under color of law, unlawfully used excessive force in the apprehension of Kathleen Mancini without justification in violation of her right to freedom from unreasonable seizure as guaranteed by the Washington Constitution, Article 1, Section 7.

VIII. False Imprisonment

1. Plaintiff hereby re-alleges and incorporates all the above paragraphs.

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2. As described more fully above, Tacoma Police officers unlawfully detained, restrained and imprisoned Kathleen Mancini, proximately causing her damages in an amount to be determined at trial.
3. Defendant City of Tacoma is vicariously liable for the actions of its agents, Tacoma Police officers.

IX. Defamation and False Light

4. Plaintiff hereby re-alleges and incorporates all the above paragraphs.
1. As described above, Tacoma Police officers exposed Kathleen Mancini to ridicule and injury to her reputation by publicly and unlawfully seizing, searching and detaining her in an extreme public manner so as to give the false impression to observers that she was a criminal or otherwise engaged in criminal activity.
2. These acts constitute defamation *per se*.
3. These acts portrayed Kathleen Mancini in a false light.
4. Defendant City of Tacoma is vicariously liable for the actions of its agents, Tacoma Police officers.
5. As a proximate result of the above cited acts of defamation and false light, Kathleen Mancini suffered damages in an amount to be determined at trial.

X. Invasion of Privacy

1. Plaintiff hereby re-alleges and incorporates all the above paragraphs.
2. As described above, Tacoma Police officers unlawfully entered Kathleen Mancini's residence, unlawfully searched her residence and ransacked her personal property.

COMPLAINT FOR
DAMAGES

3. Defendant City of Tacoma is vicariously liable for the actions of its agents, Tacoma Police officers.
4. As a proximate result of the above cited acts of invasion of privacy, Kathleen Mancini suffered damages in an amount to be determined at trial.

XI. Infliction of Emotional Distress

1. Plaintiff hereby re-alleges and incorporates all the above paragraphs.
2. As stated more fully above, the unlawful acts of the Tacoma Police officers inflicted emotional distress on Kathleen Mancini.
3. The actions of the Tacoma Police officers constitute negligent infliction of emotional distress, or alternatively Tort of Outrage.
4. Defendant City of Tacoma is vicariously liable for the actions of its agents, Tacoma Police officers.
5. As a proximate result of the above cited acts of infliction of emotional distress, Kathleen Mancini suffered damages in an amount to be determined at trial.

XII. Damages

1. Plaintiff hereby re-alleges and incorporates all the above paragraphs.
2. As a direct and proximate result of the negligent, unlawful and tortious conduct of Tacoma Police officers, the plaintiff Kathleen Mancini suffered injuries. Said injuries have caused, and in the future will cause, financial loss, pain and suffering, disability, loss of enjoyment of life, embarrassment, anguish, emotional distress, PTSD and other damages to be identified at trial.

COMPLAINT FOR
DAMAGES

Prayer for Relief

WHEREFORE, plaintiff prays for judgment against defendants as follows:

1. For general damages in an amount now unknown but which will be proved at the time of trial.
2. For special damages in an amount now unknown but which will be proved at the time of trial.
3. For judgment against Defendants for statutory penalties;
4. For attorneys fees and costs as provided by any applicable provision of the law;
5. For costs and disbursements herein to be taxed;
6. For such other and further relief as the court may deem appropriate.

LAW OFFICES OF LORI S. HASKELL


Lori S. Haskell WSBA #15779
Attorney for Plaintiff

COMPLAINT FOR
DAMAGES

10

Lori S. Haskell
Fishermen's Terminal
1900 West Nickerson #209
Seattle, WA 98119
(206) 285-4130

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TACOMA CITY ATTORNEY
CIVIL DIVISION

VIA DELIVERY
10:20
to
Service account
Jennifer Taylor

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

Kathleen Mancini, a single woman,

Plaintiff,

Vs.

City of Tacoma, a municipal entity and
political subdivision of the state of
Washington; the Tacoma Police
Department; and Don Ramsdell,
individually and in his official capacity as
chief of Tacoma Police,

Defendants.

No. 12-2-05834-3 KNT

SUMMONS

THE STATE OF WASHINGTON, TO: DEFENDANTS

A lawsuit has been started against you in the above-entitled court by
claimants. Plaintiff's claims are stated in the written complaint, a copy of which is
served upon you with this summons.


In order to defend against this lawsuit, you must respond to the complaint by
stating your defense in writing, and serve a copy upon the undersigned attorney for
the claimant within 20 days after the service of this summons (or 60 days if this
summons was served outside the State of Washington), excluding the day of service,
or a default judgment may be entered against you without notice. A default judgment
SUMMONS

is one where plaintiff is entitled to what she asks for because you have not responded.
If you serve a Notice of Appearance on the undersigned attorney, you are entitled to
notice before a default judgment may be entered.

If you wish to seek the advice of any attorney in this matter, you should do so
promptly so that your written response, if any, may be served on time.

DATED this 14th day of February, 2012.

LAW OFFICES OF LORI S. HASKELL


Lori S. Haskell WSBA #15779
Attorney for Plaintiff

SUMMONS

2

Lori S. Haskell
Fishermen's Terminal
1900 W. Nickerson St. #209
Seattle, WA 98119
(206) 285-4130

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APR 02 2012

TACOMA CITY ATTORNEY
CIVIL DIVISIONVIA DELIVERY
10:20 AM
Service accepted by
Samir for TaylorIN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

Kathleen Mancini

vs

Tacoma Police Department

Plaintiff(s)

Defendant(s)

NO. 12-2-05839-3 KNT

Order Setting Civil Case Schedule (*ORSCS)

ASSIGNED JUDGE Smith 5

FILE DATE: 02/15/2012

TRIAL DATE: 07/29/2013

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

 Print Name

 Sign Name

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this **Schedule**. In order to comply with the **Schedule**, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$230 must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2)

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this **Schedule** are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule if the case is subject to **mandatory arbitration** and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. **Any party filing a Statement must pay a \$220 arbitration fee.** If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4.71.050 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

II. CASE SCHEDULE

CASE EVENT	DEADLINE or EVENT DATE	Filing Needed
Case Filed and Schedule Issued.	Wed 02/15/2012	*
Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR 2.1(a) and Notices on Page 2]. \$220 arbitration fee must be paid	Wed 07/25/2012	*
DEADLINE to file Confirmation of Joinder if not subject to Arbitration. [See KCLCR 4.2(a) and Notices on Page 2].	Wed 07/25/2012	*
DEADLINE for Hearing Motions to Change Case Assignment Area. [See KCLCR 82(e)]	Wed 08/08/2012	
DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(b)].	Mon 02/25/2013	
DEADLINE for Disclosure of Possible Additional Witnesses [See KCLCR 26(b)].	Mon 04/08/2013	
DEADLINE for Jury Demand [See KCLCR 38(b)(2)].	Mon 04/22/2013	*
DEADLINE for Setting Motion for a Change in Trial Date [See KCLCR 40(e)(2)].	Mon 04/22/2013	*
DEADLINE for Discovery Cutoff [See KCLCR 37(g)].	Mon 06/10/2013	
DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR 16(b)].	Mon 07/01/2013	
DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)].	Mon 07/08/2013	
DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(2)].	Mon 07/08/2013	*
DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56; CR 56].	Mon 07/15/2013	
Joint Statement of Evidence [See KCLCR (4)(k)].	Mon 07/22/2013	*
DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file Proposed Findings of Fact and Conclusions of Law with the Clerk)	Mon 07/22/2013	*
Trial Date [See KCLCR 40].	Mon 07/29/2013	

III. ORDER

Pursuant to King County Local Civil Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Civil Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this Order Setting Civil Case Schedule and attachment on all other parties.

DATED: 02/15/2012



PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

CASE SCHEDULE AND REQUIREMENTS

Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report:

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g. interpreters, equipment, etc.).

The form is available at <http://www.kingcounty.gov/courts/superiorcourt.aspx>. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding said report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial: Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the King County Superior Court website <http://www.kingcounty.gov/courts/superiorcourt.aspx> to confirm trial judge assignment. Information can also be obtained by calling (206) 205-5984.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Nondispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the Note for Motion should state "Without Oral Argument." Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at <http://www.kingcounty.gov/courts/superiorcourt/civil.aspx>.

Emergency Motions: Under the court's local civil rules, emergency motions will be allowed only upon entry of an Order Shortening Time. However, emergency discovery disputes may be addressed by telephone call and without written motion, if the judge approves.

B. Original Documents/Working Copies/ Filing of Documents

All original documents must be filed with the Clerk's Office. Please see information on the Clerk's Office website at www.kingcounty.gov/courts/clerk regarding the new requirement outlined in LGR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk's Office website.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge's working copies must be delivered to his/her courtroom or the Judges' mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. On June 1, 2009 you will be able to submit working copies through the Clerk's office E-Filing application at www.kingcounty.gov/courts/clerk.

Service of documents. E-filed documents may be electronically served on parties who opt in to E-Service within the E-Filing application. The filer must still serve any others who are entitled to service but who have not opted in. E-Service generates a record of service document that can be e-filed. Please see information on the Clerk's office website at www.kingcounty.gov/courts/clerk regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. Do not file the original of the proposed order with the Clerk of the Court. Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order.

Presentation of Orders: All orders, agreed or otherwise, must be presented to the assigned judge. If that judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the assigned judge or in the Ex Parte Department. Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. If final order and/or formal proof are entered in the Ex Parte Department, counsel is responsible for providing the assigned judge with a copy.

C. Form

Memoranda/briefs for matters heard by the assigned judge may not exceed twenty four (24) pages for dispositive motions and twelve (12) pages for nondispositive motions, unless the assigned judge permits over-length memoranda/briefs in advance of filing. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PEITITONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE

Process Server Field Worksheet

Client: Haskell, Lori S
Client Ref:
Case #: 12-2-05839-3 KNT
Court: SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF WASHINGTON

Date: Mar 30 2012
Tracking #: 7363537



Area: Tac - Downtown Tacoma	Serve By: Apr 4 2012
Serve: CITY OF TACOMA, A MUNICIPAL ENTITY AND POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON	Status Date: Apr 4 2012 If not served by this date turn into dispatch for update.
DOB:	Hearing Date:
1 st Service Address: 747 MARKET ST TACOMA WA 98402	2 nd Service Address:

Document List: SUMMONS; COMPLAINT FOR DAMAGES; ORDER SETTING CIVIL CASE SCHEDULE; (2 SETS)

Instructions:
SERVE 2 SETS

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					ONLY HIM	ONLY HER	
2			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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